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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF WYOMING**

JUAN PAUL FLORES,)	
)	
Plaintiff,)	
)	Civil Case No. 14-CV-184-S
vs.)	
)	
GEORGE MENIG,)	
)	
Defendant.)	

DEFENDANT’S EXPERT WITNESS DESIGNATION

Defendant George Menig hereby submits his expert witness designation in accordance with U.S.D.C.L.R. 26(e), the Federal Rules of Civil Procedure, the Court’s Amended Order on Initial Pretrial Conference [Doc. 22], and the Court’s Order Granting Stipulated Motion for Extension of Time to Designate Defendant’s Expert Witness [Doc. 29], as follows:

K. Thor Eells
19875 Indian Summer Lane
Monument, CO 80132

Thor Eells is a Commander of the Colorado Springs Police Department. Commander Eells is a 27-year veteran. In his 27 years of experience, he has held various positions, including Field Training Officer, Sergeant, Lieutenant, and Commander. He has also served in various capacities, including patrol, investigations, and tactical. Commander Eells is a graduate of the FBI National Academy and holds a Master's Degree in Criminal Justice from the University of Colorado. He is a certified Non-Lethal Use of Force instructor, SWAT trainer, and police officer. Commander Eells' Expert Report expands upon and provides further detail regarding his expert qualifications in this matter.

Commander Eells' expertise includes but is not limited to patrol procedures, use of force, use of deadly force, and non-lethal force. His extensive expertise stems from his extensive knowledge, skill, education, training, and experience in these areas. Both the range of Commander Eells' expertise and the grounds therefore are more fully described in his Expert Report. His review of the available records, facts, data, and pleadings in this case to date, enumerated in his Expert Report, and the application of his expertise to the same, form the basis for Commander Eells' current opinions.

While expert testimony from any Party as to the reasonableness, lawfulness and constitutionality of Defendant's conduct, or his qualified immunity for the same, may not be necessary to help the trier of fact to understand the evidence or to determine a fact in issue, if it is necessary, then Commander Eells will testify both at his deposition and at trial that Defendant's conduct was objectively reasonable given the facts and circumstances. Commander Eells' Expert Report includes his opinions and the underlying basis and reasons therefore, as well as any other information required by the rules.

Discovery has not been completed, and Commander Eells reserves the right to supplement his report and opinion, whether by addition, modification, or rebuttal, as additional information becomes known.

Commander Eells charges \$225 per hour for the taking of his deposition and court testimony. In addition, Commander Eells charges \$175 per hour for travel time. Commander Eells' Curriculum Vitae including a list of cases is attached hereto as Exhibit A and his fee schedule is attached hereto as Exhibit B.

DATED this 10th day of November 2015.

/s/ Theodore R. Racines

Theodore R. Racines

Senior Assistant Attorney General

CERTIFICATE OF SERVICE

I hereby certify that the foregoing was filed using the CM/ECF system on the 10th day of November, 2015, and a copy was sent to the following individuals:

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/s/ MaryBeth Jones
Office of the Wyoming Attorney General